

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CARNELL HUNNICUTT, SR.,

Plaintiff,

v.

No. CV 20-206 MV/CG

DANIEL PETERS, et al.,

Defendants.

**ORDER GRANTING IN PART MOTION TO EXTEND TIME TO FILE
OBJECTIONS TO PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on Plaintiff Carnell Hunnicutt's *Pro Se Plaintiff's Motion for Extension of Time to Submit Objections to Proposed Findings and Recommended Disposition* (the "Motion"), (Doc. 128), filed February 23, 2022; Defendants' *Response in Opposition to Plaintiff's Motion for Extension of Time to Submit Objections to Proposed Findings and Recommended Disposition*, (Doc. 130), and *NMDOT Defendants' Response to Plaintiff's Motion for Extension of Time*, (Doc. 132), both filed February 28, 2022. The Court, having reviewed the Motion, the filings, and the relevant law, finds the Motion shall be **GRANTED IN PART**.

In the Motion, Mr. Hunnicutt requests "an additional two weeks" to submit his objections, which are currently due March 1, 2022, because of "the press of other business." (Doc. 128 at 1). Defendants New Mexico Corrections Department, Southern New Mexico Correctional Facility, William Edgman, K.D. Miller, German Franco, Joshua Sigala, Ronald Martinez, and Jodi Upshaw do not oppose this Motion. (Doc. 132 at 2).

However, Defendants Summit Food Services, Astrid Castillo and Mary Williams do oppose the Motion, arguing that "[a]llowing [Mr. Hunnicutt] an extension of time to file his objections would be futile and unduly prejudicial to Defendants." (Doc. 130 at 1).

They further contend that as Mr. Hunnicutt was transferred to the Guadalupe County Correctional Facility on December 21, 2021, his claims are now moot, “because [Mr. Hunnicutt] is only entitled to equitable relief under RLUIPA.” *Id.* at 2.

IT IS THEREFORE ORDERED that Mr. Hunnicutt’s *Pro Se Plaintiff’s Motion for Extension of Time to Submit Objections to Proposed Findings and Recommended Disposition*, (Doc. 128) shall be **GRANTED IN PART**.

IT IS FURTHER ORDERED that Mr. Hunnicutt shall have until **March 8, 2022**, to file his objections to the February 15, 2022 Proposed Findings and Recommended Disposition, (Doc. 126).

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE